

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Confirmation No. 3553
Louis T. Klauder, Jr. : Group Art Unit 2128
Application No. 10/506,708 : Examiner: Russell W. Frejd
Filing Date: September 7, 2004 : (571) 272-3779
For a Patent for a :
METHOD FOR DESIGNING GENERALIZED :
SPIRALS, BENDS, JOGS, AND WIGGLES :
FOR RAILROAD TRACKS AND VEHICLE :
GUIDEWAYS : February 1, 2007

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Office of Finance
Deposit Account Division

Sir:

This paper is being filed to request the refund of a fee which was, in error, charged to the Deposit Account of the undersigned, No. 03-2405.

A "Monthly Statement of Deposit Account" dated December 29, 2006, shows a charge in the amount of \$180.00 which pertains to the above-referenced U.S. Patent Application. The charge

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shows the fee code "2203", which pertains to the presentation of "multiple dependent claims" pursuant to 37 C.F.R. §1.16(j).

It is correct that multiple dependent claims have been presented in connection with the present U.S. Patent Application, and that the fee set forth in 37 C.F.R. §1.16(j) was required for this. This fee, however, was paid when steps were taken to enter the present U.S. Patent Application into its national stage for the United States, on September 7, 2004. Copies of the second page of the "Transmittal Letter" which was filed on September 7, 2004, showing that the fees submitted for entering the U.S. national stage included a fee for the presentation of multiple dependent claims, and a copy of the accompanying check, showing payment of the calculated fees, are attached.

Accordingly, it is submitted that the charge shown on the Monthly Statement of Deposit Account which pertains to the above-referenced application was made in error.

A refund of this charge, in the amount of \$180.00, is therefore respectfully requested. It is further respectfully requested that the Patent Office apply this refund to the Deposit Account of the undersigned, No. 03-2405.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-6500) on: February 1, 2007.

Date: 2/1/07

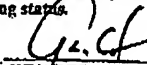
G. Cohen
Gary M. Cohen, Esq.

Respectfully submitted,

G. Cohen
GARY M. COHEN, ESQ.
Reg. No. 28,834
Attorney for Applicant
Tel.: (610) 975-4430

-2-

BEST AVAILABLE COPY

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/US2003/009667		ATTORNEY'S DOCKET NUMBER BENDS2	
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 35(1)-(4) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 35(1)-(4) ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY \$ 770.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	17 - 20 =	0	x 18.00	\$	
Independent claims	1 - 3 =	0	x 85.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 290.00	\$ 290.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,060.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 530.00	
SUBTOTAL =				\$ 530.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 530.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
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a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>530.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-2405</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: COHEN, Gary M., Esq. Stratford Building Number Three 125 Stratford Avenue, Suite 300 Wayne, PA 19087-3318 United States of America Telephone: (610) 975-4430 Facsimile: (610) 975-4436					
				SIGNATURE  COHEN, Gary M., Esq. NAME 28,834 REGISTRATION NUMBER	

FORM PTO-130 (REV. 11-2000) page 2 of 3

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648

DATE September 3, 2007 \$ 530.00

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G.M.C.

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February 1, 2007

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TO: Mail Stop 16 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	RE: Application No. 10/506,708 Filed: September 7, 2004
TELEPHONE: (571) 272-6500	FACSIMILE: (571) 273-6500

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Adjustment date: 02/15/2007 SFELEKE1
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